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11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 CHINA CENTRAL TELEVISION, a China
14 company; CHINA INTERNATIONAL
15 COMMUNICATIONS CO., LTD., a China
16 company; TVB HOLDINGS (USA), INC., a
17 California corporation; and DISH
18 NETWORK L.L.C., a Colorado corporation,
19 Plaintiffs,
20 vs.
21

22 CREATE NEW TECHNOLOGY (HK)
23 LIMITED, a Hong Kong company; HUA
24 YANG INTERNATIONAL TECHNOLOGY
25 LIMITED, a Hong Kong company;
26 SHENZHEN GREATVISION NETWORK
27 TECHNOLOGY CO. LTD., a China
28 company; CLUB TVPAD, INC., a California
corporation; BENNETT WONG, an
individual, ASHA MEDIA GROUP INC.
d/b/a TVPAD.COM, a Florida corporation;
AMIT BHALLA, an individual;
NEWTVPAD LTD. COMPANY d/b/a
NEWTVPAD.COM a/k/a TVPAD USA, a
Texas corporation; LIANGZHONG ZHOU,
an individual; HONGHUI CHEN d/b/a E-
DIGITAL, an individual; JOHN DOE 1 d/b/a
BETV; JOHN DOE 2 d/b/a YUE HAI; JOHN
DOE 3 d/b/a 516; JOHN DOE 4 d/b/a HITV;
JOHN DOE 5 d/b/a GANG YUE; JOHN
DOE 6 d/b/a SPORT ONLINE; JOHN DOE 7
d/b/a GANG TAI WU XIA; and JOHN DOES
8-10,

Defendants.

) Case No.
CV 15-1869 SVW (AJWx)
}
SUPPLEMENTAL
DECLARATION OF CARLA
A. McCUALEY IN SUPPORT
OF PLAINTIFFS' REQUEST
FOR ATTORNEYS' FEES RE:
ORDER GRANTING
DEFAULT JUDGMENT AS TO
DEFENDANTS CREATE NEW
TECHNOLOGY (HK)
LIMITED AND HUA YANG
INTERNATIONAL
TECHNOLOGY LIMITED

Courtroom: 6
Judge: Hon. Stephen V.
Wilson

Complaint Filed: March 13, 2015

1 I, Carla A. McCauley, declare as follows:

2 1. I am licensed to practice law before all the courts in the State of
3 California and am admitted to the Central District of California and the United States
4 Court of Appeals for the Ninth Circuit. I am a partner at Davis Wright Tremaine
5 LLP (“DWT”), counsel for Plaintiffs in the above-entitled matter. I submit this
6 Declaration in further support of Plaintiffs’ request for attorneys’ fees made in
7 conjunction with Plaintiffs’ Motion for Default Judgment Against Defendants Create
8 New Technology (HK) Limited and Hua Yang International Technology Limited
9 (Motion for Default Judgment). I have personal knowledge of the facts contained
10 herein, and, if called upon as a witness, I could and would testify competently about
11 these facts, except for those matters stated expressly upon information and belief,
12 which matters are believed to be true.

13 2. By Order dated December 7, 2015, the Court granted Plaintiffs’ Motion
14 for Default Judgment. In the Order, the Court directed Plaintiffs to file a declaration
15 “stating the hourly rates of the attorneys who have worked on this matter and the
16 number of hours expended litigating matters related to the liability of CNT and
17 HYIT.” *See Order at 44:5-7.* I submitted a Declaration on December 11, 2015
18 responding to the Court’s request for this information.

19 3. On December 15, 2015, the Court issued a subsequent Order requiring
20 Plaintiffs to file not later than January 11, 2016 t “itemized billing records” to allow
21 the Court to confirm that the time submitted is related to litigating the liability of
22 CNT and HYIT. The Court also ordered plaintiffs to “submit information showing
23 that the hourly rates they claim are reasonable and prevailing in the Los Angeles
24 legal community...[including] further information concerning the background and
25 experience of the attorneys who recorded the time. I submit this supplemental
26 declaration in further support of Plaintiffs’ request for attorneys’ fees.

Background of Timekeeping Attorneys

4. Given the widespread and national nature of the unlicensed programming and infringement of the TVpad devices involved in this action, DWT's New York attorneys have been, since the outset of this action, the lead timekeepers who have handled litigation strategy. My partners Lacy H. Koonce and Robert Balin, both of whom are licensed to practice law in New York and have been admitted *pro hac vice* in this action, have been lead counsel for this action since DWT's early investigation into the TVpad, before Plaintiffs determined the proper venue for this litigation.

5. Specifically, in February 2014, China Central Television (“CCTV”) and China International Communications Co., Ltd. (“CICC”) (collectively “CCTV”) engaged DWT to investigate the TVpad device, its manufacturer and distributors, and to research CCTV’s legal options with respect to the TVpad’s broadcast of CCTV’s unlicensed television programming. In July 2014, TVB Holdings (USA), Inc. (“TVB”) and DISH Network L.L.C. (“DISH”) joined CCTV in retaining DWT for purposes of this investigation. Collectively, CCTV, TVB and DISH are referred to as “Plaintiffs”. The New York timekeepers who have assisted in this action also include associates Samuel Bayard and George P. Wukoson, and various paralegals based in DWT’s New York office.

6. I have been involved in this action since November 2014, once it was determined that the Central District of California was the appropriate venue for the action by Plaintiffs. I have been assisted from time to by Los Angeles-based paralegals as well.

7. Other timekeepers have assisted from time to time in this action, including Rongwai Cai, a partner in DWT's Shanghai office, and various associates from DWT's Shanghai office and Los Angeles office. However, for purposes of the current submission, those timekeepers' time entries have not been accounted toward Plaintiffs' requested attorneys' fees.

1 8. For those timekeepers whose time is accounted for and requested as part
2 of Plaintiffs' attorneys' fees request associated with litigating the liability of CNT
3 and HYIT in this action, background details regarding each attorney are set forth
4 below.

5 9. Robert Balin is a 1984 *magna cum laude* graduate of Temple University
6 School of Law. For more than 30 years, Mr. Balin has represented media clients in
7 intellectual property litigation and in a broad array of other cases. Among many other
8 copyright matters, Mr. Balin represented a group of 20 American magazine
9 publishers (including Time, Inc., The McGraw-Hill Companies, Inc., Newsweek,
10 Inc., Forbes Magazine, LLC, US News & World Report, LLC, Hearst Corporation
11 and Playboy Enterprises, Inc.) in securing injunctive relief and a consent order
12 prohibiting a pirate Canadian website called Mygazines from copying plaintiffs'
13 magazines without authorization (*Time, Inc., et al v. Budd, et al*, 1:08-cv-07392
14 (S.D.N.Y.) and *Time, Inc., et al v. Budd, et al*, Court File No. 08-CV-00361126
15 (Ontario Superior Court of Justice)); represented CNN in successfully obtaining
16 dismissal on fair use grounds of a copyright infringement suit challenging CNN's use
17 of short film clips in a television news obituary of actor Robert Mitchum, together
18 with an award of attorneys' fees (*Video Cinema Films, Inc. v. CNN, Inc.*, 2001 WL
19 1518264 (S.D.N.Y. Nov. 28, 2001) and *Video Cinema Films, Inc. v. CNN, Inc.*, 2004
20 WL 213032 (S.D.N.Y. Feb. 3, 2004)); represented book publisher Henry Holt in
21 successfully securing dismissal of copyright infringement claims on the ground that
22 plaintiff's unpublished manuscript was not substantially similar to the children's
23 book published by defendant (*Lewinson v. Henry Holt and Co., LLC*, 7:07-cv-
24 10955 (S.D.N.Y. Sep. 23, 2009) (Dkt. No. 30)); and defended book publisher Farrar,
25 Straus & Giroux and author Thomas Friedman in a copyright infringement suit
26 arising from use of plaintiff's artwork on the cover of Friedman's best-selling book,
27 "The World is Flat." (*Miracle v. Galasso, et al*, 1:05-cv-09980 (S.D.N.Y.)). For the
28 past 8 years, Mr. Balin has also taught copyright and media law as an adjunct

1 professor at Columbia University School of Law. In addition, he frequently lectures
2 on intellectual property law issues, including making annual presentations on
3 copyright law to visiting Chinese book and magazine publishers at the State
4 University of New York's Levin Institute (and before that at New York University's
5 Center for Publishing). Mr. Balin has also lectured on comparative US/China
6 intellectual property law at the Shantou University School of Journalism in Shantou,
7 China (April 2006) and at the Cheung Kong Graduate School of Business in Beijing
8 China (April 2006); and, most recently, made presentations on Copyright, Trademark
9 and Patents in the Digital Age to Chinese publishers in Shanghai and Nanjing (April
10 2014) at the invitation of China's State Administration of Press, Publication, Radio,
11 Television and Film. Among several other publications, Mr. Balin is the co-author of
12 "Navigating Media Rules in China", published in *GC New York* (American Lawyer
13 Media Nov. 13, 2006). Mr. Balin currently co-chairs the Media Law Committee of
14 the International Bar Association, co-chairs the International Media Law Committee
15 of the Media Law Resource Center and is a past chair of DWT's media practice
16 group. He has received numerous professional accolades for his legal work,
17 including being named one of "America's Leading Lawyers for Business" in First
18 Amendment Litigation (Nationwide) by Chambers USA for the years 2012-2015;
19 being named one of the "Best Lawyers in America" in Media Law by Best Lawyers
20 for the years 2011-2015; and being selected to "New York Super Lawyers" in the
21 area of Media and Advertising by Thompson Reuters for the years 2006-2009, 2011
22 and 20013-2015. Among other awards for his legal work, Mr. Balin received the
23 Kenneth P. McLaughlin Award of Merit from the National Press Photographers
24 Association in 2014 and the NAACP Presidential Award from the NAACP of New
25 Jersey in 2003.

26 10. Lance Koonce is an intellectual property litigator with two decades of
27 experience representing, *inter alia*, companies in the television and film industries,
28 including broadcasters, producers and distributors. Mr. Koonce graduated with

1 honors from the University of North Carolina School of Law in 1996, and was
2 involved in some of the earliest legal disputes regarding digital set-top devices. Mr.
3 Koonce has litigated an array of high-profile cases under the Copyright Act and the
4 Lanham Act, including the Mygazines.com copyright infringement case with Mr.
5 Balin discussed *supra* at Paragraph 9, as well as: *Steinbeck v. McIntosh & Otis, Inc.*
6 (C.D. Cal. 2015 and Second Circuit 2010), a series of copyright litigations in which
7 Mr. Koonce defended the literary agent for John Steinbeck's literary properties;
8 *Poquito Mas v. Taco Bell* (C.D. Cal. 2014), the defense of a trademark infringement
9 action concerning Taco Bell's "LIVE MÁS" slogan; *Oracle America, Inc. v. Google*
10 *Inc.* (Fed. Cir. 2013), in which Mr. Koonce submitted an amicus brief on behalf of
11 former Register of Copyrights Ralph Oman supporting Oracle's position in an
12 infringement action that the menu command structure of software is protectable
13 under Copyright Act; *Willagirl LLC v. The Wella Corporation* (S.D.N.Y. 2011), in
14 which Mr. Koonce represented Procter & Gamble subsidiary in a trademark
15 infringement suit arising out of plaintiff's proposed use of the "Willa" trademark;
16 *Clifton Mallery v. NBC Universal* (2d Cir. 2010), in which Mr. Koonce represented
17 NBC in a copyright action claiming that the television program "Heroes" infringed
18 plaintiffs' copyright in a documentary and manuscript about their lives; *Salinger v.*
19 *Colting* (2d Cir. 2010), in which Mr. Koonce represented J.D. Salinger in a copyright
20 infringement action against the author, publisher and distributor of a self-proclaimed
21 sequel to "The Catcher in the Rye.;" *Jonesfilm v. Lions Gate Entertainment* (9th Cir.
22 2008), defense of an infringement claim involving the motion picture "9 1/2 Weeks";
23 *Shine v. David M. Childs and Skidmore, Owings & Merrill* (S.D.N.Y. 2006), in
24 which Mr. Koonce represented architectural firm that designed original Freedom
25 Tower in action involving alleged copyright infringement of architectural
26 design. Mr. Koonce is a frequent speaker and writer on intellectual property issues,
27 including recent articles on the Second Circuit's decision in *The Authors Guild v.*
28 *Google, Inc.* the Ninth Circuit's decision in *Lenz v. Universal Music Corp.* on

1 copyright fair use. Mr. Koonce is the current chair of the Law & Technology
2 Committee of the New York County Lawyers Association, and the former chair of
3 the Grants Committee of the Copyright Society of the United States.

4 11. Samuel Bayard graduated summa cum laude from Cornell Law School
5 in 2001. Since 2010, Mr. Bayard has been an associate at DWT, focusing his
6 litigation practice on media and intellectual property law, assisting clients in a range
7 of matters including copyright, trademark, libel, privacy, right of publicity, and First
8 Amendment litigation. Prior to his work with DWT, Mr. Bayard was an associate at
9 Wachtell, Lipton, Rosen & Katz, a fellow at the Berkman Center for Internet &
10 Society at Harvard University, and a Lecturer on Law at Harvard Law School. Mr.
11 Bayard also clerked for Judge Lewis Kaplan in the United States District Court
12 Southern District of New York from September 2001 to September 2002. Mr.
13 Bayard has extensive litigation experience in federal and state courts, at both the trial
14 and appellate levels, and has assisted with a jury trial in a high-profile copyright case
15 in 2013. Mr. Bayard was selected as a “New York Rising Star” by Thomson Reuters
16 in 2012.

17 12. George Wukoson is a 2008 graduate of the New York University School
18 of Law. He was admitted to practice law in the State of New York in 2008. He has
19 been an associate at DWT since 2012. Prior to Mr. Wukoson’s work with DWT, he
20 was an associate with Dechert LLP in New York, New York. Mr. Wukoson has over
21 seven years litigation experience, has second chaired and assisted with evidentiary
22 hearings, assisted with appeals before the New York Court of Appeals and the
23 Second Circuit, and litigated numerous matters across a wide array of commercial
24 litigation, intellectual property and criminal matters in federal court for clients in a
25 number of industries. Mr. Wukoson’s substantive experience spans trademark,
26 copyright, cybersquatting, entertainment, advertising, and a broad range of
27 commercial/business litigation matters. He was awarded the Legal Aid Society’s Pro
28 Bono Publico Award in 2009, 2011 and 2013.

13. I am a 2002 graduate of the University of California, Berkeley, Boalt
1 Hall School of Law. I was admitted to practice law in the State of California in 2002.
2 I have been a partner at Davis Wright Tremaine (“DWT”) since 2014. Prior to my
3 work with DWT, I was an associate with Steptoe & Johnson in Century City,
4 California; Alschuler Grossman Stein & Kahan LLP in Santa Monica, California, and
5 with Irell & Manella in Century City, California. In 2002, I clerked for the
6 Honorable Alicemarie H. Stotler for the Central District of California. In 2004, I
7 clerked for the Honorable Pamela A. Rymer for the Court of Appeals for the Ninth
8 Circuit. In addition to my experience clerking in the federal courts, I have over a
9 decade of litigation experience, have second chaired and assisted with jury and bench
10 trials, argued and assisted with appeals before the California Court of Appeals and
11 the Court of Appeals for the Ninth Circuit, and litigated numerous matters across a
12 wide array of commercial litigation and intellectual property matters in federal court
13 for clients in a number of industries. My substantive experience spans intellectual
14 property, entertainment, advertising, privacy, unfair competition law, and a broad
15 range of commercial/business litigation matters. I have been selected as a “Southern
16 California Rising Star” from 2007 through 2008 and 2013 through 2015. I was
17 awarded the ACLU’s Artistic Freedom Award on June 8, 2012.
18

Reasonableness of Timekeeper Rates

20 14. The billing rates for Robert Balin, a partner in DWT's New York office,
21 was \$585 per hour for this matter. The billing rate for Lacy H. Koonce, a partner in
22 DWT's New York office, was \$495 per hour for this matter. The billing rate for
23 Carla A. McCauley, a partner in DWT's Los Angeles office, was \$459 per hour for
24 this matter. The billing rate for Samuel Bayard, an associate in DWT's New York
25 office, was \$459 per hour for this matter. The billing rate for George Wukoson, an
26 associate in DWT's New York office, was \$414 per hour for this matter. The billing
27 rates for DWT's New York paralegals ranged from \$144.00 to \$247.50 in this matter.
28 The billing rate for DWT's Los Angeles paralegals was \$139.50 for this matter.

1 15. The hourly rates of Plaintiffs' litigation team reflect discounted rates
2 from DWT's customary rates and are consistent with prevailing market rates in Los
3 Angeles and New York. As measured by the National Law Journal's 2014 Billing
4 Survey, a copy of which is attached as **Exhibit A**, the average 2014 partner billing
5 rate for partners at comparable New York-based firms include: Curtis, Mallet-
6 Prevost, Cost & Mosle (\$800 average); Davis Polk & Wardell (\$975 average);
7 Debevoise & Plimpton (\$1055 average); Dechert (\$900 average); Dentons (\$700
8 average); DLA Piper (\$765 average); Fried, Frank, Harris, Shriver & Jacobson
9 (\$1000); Gibson Dunn & Crutcher (\$980 average); Greenberg Traurig (\$763
10 average); Jones Day (\$745 average); Kaye Scholer (\$860 average); Kelley Drye &
11 Warren (\$640); Kramer Levin Naftalis & Frankel (\$921 average); Orrick Herrington
12 & Sutcliffe (\$845 average); Paul Hastings (\$815 average); Paul Weiss, Rifkind,
13 Wharton & Garrison (\$1040 average); Skadden, Arps, Slate, Meagher & Flom
14 (\$1035 average); Stroock, Stroock & Lavan (\$960 average); White & Case (\$875
15 average); Willkie Farr & Gallagher (\$950 average). California-based firms further
16 confirm the reasonableness of DWT's rates for its partners: Jeffer, Mangels, Butler
17 & Mitchell (\$690 average); Manatt, Phelps & Phillips (\$740 average); Nossaman
18 (\$579 average); O'Melveny & Myers (\$715 average); Quinn Emanuel Urquart &
19 Sullivan (\$915 average); Sedgwick (\$425 average); and Sheppard Mullin Richter &
20 Hampton (\$685 average).

21 16. As measured by the National Law Journal's 2014 Billing Survey, the
22 average 2014 associate billing rate for the comparable New York-based firms
23 include: Curtis, Mallet-Prevost, Cost & Mosle (\$480 average); Davis Polk & Wardell
24 (\$615 average); Debevoise & Plimpton (\$490 average); Dechert (\$530 average);
25 Dentons (\$425 average); DLA Piper (\$510 average); Fried, Frank, Harris, Shriver &
26 Jacobson (\$595 average); Gibson Dunn & Crutcher (\$590 average); Greenberg
27 Traurig (\$470 average); Jones Day (\$435 average); Kaye Scholer (\$597 average);
28 Kelley Drye & Warren (\$430 average); Kramer Levin Naftalis & Frankel (\$675

1 average); Orrick Herrington & Sutcliffe (\$560 average); Paul Hastings (\$540
2 average); Paul Weiss, Rifkind, Wharton & Garrison (\$678 average); Skadden, Arps,
3 Slate, Meagher & Flom (\$620 average); Stroock, Stroock & Lavan (\$549 average);
4 White & Case (\$525) average; Willkie Farr & Gallagher (\$580 average). California-
5 based firms further confirm the reasonableness of DWT's rates for its associates:
6 Quinn Emanuel Urquart & Sullivan (\$410 average); Sedgwick (\$325 average); and
7 Sheppard Mullin Richter & Hampton (\$415 average). A true and correct copy of the
8 National Law Journals' 2014 Billing Survey is attached as **Exhibit A**.

9 17. Based on my experience working in the Los Angeles market for over a
10 decade, DWT's Los Angeles and New York paralegal rates invoiced in this matter,
11 which range from \$144 to \$247.50 are also reasonable and consistent with typical
12 rates charged by comparable law firm paralegals in Los Angeles.

13 **Analysis of Invoices**

14 18. I am familiar with DWT's record keeping and billing system and am
15 aware of the methods by which DWT tracks attorney time, including with respect to
16 this matter. In this action, given the involvement of several plaintiffs, the total
17 invoiced time in this matter has been apportioned by party, with DISH responsible
18 for 40% of billed time, CCTV responsible for 30% of billed time, TVB responsible
19 for 30% of billed time. Each of the Plaintiffs' invoices show daily entries from each
20 timekeeper with descriptions of all of the work performed by each attorney on each
21 day and the increments of total time for the day spent by each attorney on each task
22 for the entire TVpad litigation matter. Each invoice, in turn, apportions the total
23 charged time for each monthly invoice by the 40/30/30 split prior to billing to the
24 individual plaintiff.

25 19. Attached hereto as **Exhibit B** are true and correct copies of all invoices
26 billed to DISH from August 31, 2014 through December 30, 2015. I also reviewed
27 CCTV and TVB's invoices for this period of time, and those invoices are identical in
28 terms of the time entries; the only difference appears in the final bill amount, which

1 reflects the parties' apportioned amount. To avoid filing identical and unnecessary
2 amounts of paper, only DISH's complete invoices are attached to my declaration,
3 with relevant redactions and deductions. In addition, the total service and
4 disbursement pages from TVB and CCTV's August 31, 2014 through December 30,
5 2015 invoices are also attached.

6 20. Each invoice includes various bill notations to aid the Court in its
7 analysis of the time Plaintiffs request as attorneys' fees for work associated with
8 CNT and HYIT's liability in this matter. Specifically, I and my paralegal highlighted
9 certain entries that do not involve liability, and amounts for these entries were
10 deducted. The margins of each invoice reflect the total amount of time deducted
11 from each timekeepers' entry. In addition, some entries were redacted for purposes
12 of protecting attorney client privilege or matters subject to confidentiality
13 restrictions.

14 21. Each of the margin deductions, in turn, are summarized in Excel
15 spreadsheets, attached as **Exhibit C**. Each Excel spreadsheet summarizes the total
16 deductions per timekeeper for each invoiced period and then summarizes the total
17 number of deductions per invoice. The final Excel spreadsheet provides a grand
18 total, which adds up the total billed time for August 2014 through December 2015,
19 less deductions for time entries unrelated to HYIT and CNT's liability.

20 22. The time that Plaintiffs request as part of their attorneys' fees request
21 generally fall into the following categories:

22 a. Plaintiffs' pre-investigation effort in this action, which spanned many
23 months and involved the work of an expansive and global investigation.
24 Plaintiffs' pre-investigation efforts looked into the ways CNT and HYIT
25 evaded enforcement, including by claiming they are legitimate and
26 authorized content providers and that they use only third party app
27 providers for their content, to name only a few examples. Plaintiffs'
28 investigation also looked into the inter-relatedness of the various

1 Chinese defendants in this action, including their joint ownership and
2 changes of ownership over time. Plaintiffs' investigation also entailed
3 purchasing and looking into the technical specifications of the TVpad
4 devices sold by CNT and HYIT, as well as CNT and HYIT's means of
5 selling the device and marketing it to consumers, to understand the
6 scope of infringement in the United States. Plaintiffs' pre-investigation
7 efforts directly relate to Plaintiffs' claims in the complaint, as well as to
8 gathering evidence for their successful preliminary injunction and
9 default judgment motions.

10 b. The preparation and filing of Plaintiffs' complaint and preliminary
11 injunction papers. These time entries include research into and drafting
12 the complaint and preliminary injunction papers, including preparation
13 of seven volumes of exhibits and declarations in support of the
14 preliminary injunction, as well as research into serving CNT and HYIT
15 in Hong Kong and execution of service in Hong Kong of those
16 defendants.

17 c. Plaintiffs' post-injunction notification and enforcement efforts in
18 support of the preliminary injunction order, which included notice not
19 only to CNT, but also to its network of distributors, retailers and users
20 throughout the United States and Plaintiffs' efforts to compile the
21 addresses of those entities in order to provide notice.

22 d. Plaintiffs' investigation of CNT's ongoing violation of the Court's
23 preliminary injunction and subsequent contempt filing against CNT;

24 e. Plaintiffs' third party discovery that directly related to either Plaintiffs'
25 injunction enforcement efforts (*i.e.*, subpoenas to numerous third party
26 server hosts that relayed content in violation of the Court's order), or
27 Plaintiffs' efforts to calculate CNT and HYIT's sales of TVpad devices

in the United States for purposes of Plaintiffs' default judgment analysis (i.e., through bank, fulfillment and shipping company subpoenas);

- f. Party discovery and declarations directly used in Plaintiffs' default judgment motion against CNT and HYIT.
- g. Plaintiffs' default judgment filing, including drafting documents, research and investigation into CNT and HYIT's latest infringing conduct, as well as efforts to compile five volumes of exhibits in support of the motion, and, following a Court denial of Plaintiffs' under seal submission, redaction and resubmission of a banker's box of redacted third party subpoenaed records.
- h. Plaintiffs' monitoring of and coordination with other actions concerning CNT and HYIT and the TVpad, including the action pending by Korean Broadcasters entitled *Munhwa Broadcasting Corp. et al. v. Doo Hyun Song, et al.*, Case No. CV14-04213 RGK(PJWx). These steps included coordination with other counsel concerning enforcement of the various parties' judgments and injunctions against CNT and HYIT.

23. I reviewed each of the invoices attached as **Exhibit B**. All invoices were generated by the firm's computerized billing program, and the legal services described in the invoices were actually and necessarily performed. As to each invoice, either the fees and costs have been paid or the obligation for payment has been incurred and remains outstanding.

24. In accordance with the Court's December 7, 2015 order, when I totaled the time entries to provide the total hours billed to Plaintiffs and total attorneys fees, I excluded the time entries not associated with CNT and HYIT's liability in this action. I calculated 3,217 hours and fees of \$1,451,490 for the billed hours associated with CNT and HYIT's liability. These totals included all time billed to Plaintiffs by all timekeepers, and included CCTV's pre-litigation investigation efforts early in the case before TVB and DISH joined in this effort.

25. In accordance with the Court's December 15, 2015 Order, Plaintiffs have implemented additional deductions to my original calculations to further limit the total billed and invoiced fees to \$1,364,236. Specifically, Plaintiffs further excluded CCTV's early investigation efforts and bills for the period of February 2014 through July 2014. In addition, Plaintiffs now exclude time billed by DWT's Shanghai colleagues and other attorney timekeepers who provided limited assistance on the action. Consequently, the billed time submitted in the attached invoices further deducts a total of representing a further \$87,254 deduction from Plaintiffs' original calculations.

26. I estimate that we will bill Plaintiffs approximately \$14,000 preparing this declaration and all supporting exhibits. Accordingly, Plaintiffs' revised request for attorneys' fees seeks a total of **\$1,378,236 in attorneys' fees**.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 11th day of January, 2016.

/s/ Carla A. McCauley

Carla A. McCauley